Dan Kikinis

Appl. No. 10/656,443 Atty. Docket: 2222.2340002

(formerly P1570D2)

## Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-10 are pending in the

application, with claims 1, 5, and 8 being the independent claims. Claims 1-10 are

sought to be amended. These changes are believed to introduce no new matter, and their

entry is respectfully requested.

Based on the above amendment and the following remarks, Applicant

respectfully requests that the Examiner reconsider all outstanding rejections and that they

be withdrawn.

Double Patenting

The Office Action rejected claims 1-10 "under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over claims 1-10 of United

States Patent 6,161,133." (Office Action at ¶ 4.)

Applicant traverses these rejections. Amendments to claims 1-10 of the instant

patent application negate the rationale for the double patenting rejections. Accordingly,

Applicant respectfully requests that the Examiner reconsider amended claims 1-10 of the

instant patent application and remove the rejections of these claims under the judicially

created doctrine of obviousness-type double patenting with respect to U.S. Patent No.

6,161,133.

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Additionally, the Office Action issued July 13, 2004 (PTO Prosecution File

Wrapper Paper No./Mail Date 20040706) (hereinafter "First Office Action") rejected

claims 1-10 "under the judicially created doctrine of obviousness-type double patenting

as being unpatentable over claims 1-10 of United States Patent US 6,622,169 B2." (First

Office Action at ¶ 16.) Because these rejections were not mentioned in the instant Office

Action, Applicant assumes that they have been removed.

Rejections Under 35 U.S.C. § 102

The Office Action rejected claims 1-10 under 35 U.S.C. § 102(e) as being

anticipated by U.S. Patent No. 6,370,141 to Giordano, III et al. (hereinafter "Giordano").

(See, Office Action at ¶ 6.) Applicant traverses these rejections.

Amended independent claim 1 recites (emphasis added):

A system for configuring a general network appliance, comprising:

a specific network,

a server having a connection to said specific network; and

a control routine to configure, via said specific network, the

general network appliance to have access to a general network.

Independent claims 5 and 8 have been amended in a similar manner.

Giordano does not disclose, teach, or suggest using a specific network to

configure a general network appliance to have access to a general network.

Consequently, claims 1, 5, and 8 are not anticipated by Giordano. Claims 2-4, 6, 7, 9,

and 10 depend directly or indirectly from claims 1, 5, or 8. Accordingly, claims 2-4, 6,

7, 9, and 10 are also not anticipated by Giordano. Claims 2-4, 6, 7, 9, and 10 are further

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Appl. No. 10/656,443

Atty. Docket: 2222.2340002

(formerly P1570D2)

patentable in view of their additional distinctive features. Therefore, Applicant

respectfully requests that the Examiner reconsider claims 1-10 and remove the rejection

of these claims under 35 U.S.C. § 102(e) with respect to Giordano.

Amendments to the Specification

Applicant has amended the title of the instant patent application to comply with

Section 606.01 of the Manual of Patent Examining Procedure. Applicant has also

amended the paragraph at page 1, lines 9-11 of the specification of the instant patent

application to comply with Section 201.11 of the Manual of Patent Examining

Procedure. Applicant has also amended the paragraphs at page 2, lines 2-9; page 3, lines

12-24; page 5, lines 8-17; page 10, lines 16-26; page 11, lines 16-26; page 12, lines 25-

29; page 13, lines 13-21; page 13, lines 22-29; and page 14, lines 1-10 to correct

grammatical errors.

Conclusion

All of the stated grounds of rejection have been properly traversed. Applicant

therefore respectfully requests that the Examiner reconsider all presently outstanding

rejections and that they be withdrawn. Applicant believes that a full and complete reply

has been made to the outstanding Office Action and, as such, the present application is in

condition for allowance. If the Examiner believes, for any reason, that personal

Dan Kikinis Appl. No. 10/656,443 Atty. Docket: 2222.2340002 (formerly P1570D2)

communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Timothy A. Doyle

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Date: 19 MAY 05

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